

to be misleading since the contents occupied not more than 30 percent of its total volume.

Analysis of the Guaiadine Tablets showed that they contained small proportions of potassium dichromate, iodine, guaiacol, and creosote. The article was alleged to be misbranded in that the statements on the bottle label, "Indications: In the treatment of the so-called Fowl Cholera, Typhoid, Roup, Coccidiosis and various troubles originating in the intestinal tract of fowls," were false and misleading since it would not be efficacious for such purposes.

Analysis of the Conjunctivitis #1 Tablets showed that they contained boric acid, zinc sulfate, salicylic acid, and methylene blue. They were alleged to be misbranded in that the statement "Conjunctivitis," borne on the bottle label, was false and misleading since they would not be efficacious in the treatment of conjunctivitis.

Analysis of the Liquid Nux Vomica Alkaloids showed that the article contained not more than 0.1503 (slightly less than $\frac{1}{6}$) grain of strychnine sulfate and 0.0441 ($\frac{1}{23}$) grain of brucine sulfate, per cc. It was alleged to be adulterated in that its strength differed from and its quality fell below that which it purported and was represented to possess, since it was represented to contain $\frac{1}{4}$ grain of strychnine sulfate and $\frac{1}{4}$ grain of brucine sulfate per cc.; whereas it contained not more than 0.1503 (slightly less than $\frac{1}{6}$) grain of strychnine sulfate and not more than 0.0441 ($\frac{1}{23}$) grain of brucine sulfate per cc. It was alleged to be constituent of the drug nux vomica, but its label failed to declare the quantity of strychnine that it contained.

On April 13, 1942, a plea of guilty was entered on behalf of the defendant and the court imposed a fine of \$105 and costs.

776. Adulteration and misbranding of cod-liver oil. U. S. v. 5 Barrels and 1 Drum of Cod-Liver Oil. Default decrees of condemnation. Portion of product ordered disposed of for stock and poultry feed; remainder ordered destroyed. (F. D. C. Nos. 7567, 7586. Sample Nos. 71520-E, 80695-E.)

This product differed from the pharmacopoeial standard since it was not partially destearinated, and it was off in color and odor and high in free fatty acids. The oil in the drum contained smaller amounts of vitamin D and vitamin A than those declared on the label.

On May 26 and 29, 1942, the United States attorneys for the Southern District of Ohio and Eastern District of Missouri filed libels against 5 30-gallon barrels of cod-liver oil at Mt. Orab, Ohio, and 1 30-gallon drum of cod-liver oil at St. Louis, Mo., which had been consigned on or about February 17 and April 4, 1942, alleging that the article had been shipped in interstate commerce by the Swiftide Co., from Portland, Maine; and charging that it was adulterated and misbranded. The article was labeled in part: "Swiftide Brand Cod Liver Oil."

It was alleged to be adulterated in that it was represented as a drug the name of which is recognized in an official compendium but its quality fell below the standard set forth in that compendium and the manner in which it differed from such standard was not stated on the label.

It was alleged to be misbranded in that the name "Cod Liver Oil" was false and misleading since it was not cod-liver oil. A portion was alleged to be misbranded further in that the statements (drum) "Guaranteed to Contain Not Less Than 200 A. O. A. C. Units Vitamin D" and "Not less than 1,000 Units Vitamin A Per Gramme," were false and misleading since it contained not more than 100 A. O. A. C. units of vitamin D and not more than 700 U. S. P. units of vitamin A per gram. The oil in the drum was also alleged to be misbranded under the provisions of the law applicable to foods, as reported in Notices of Judgment on Foods.

On June 30, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

DRUGS ACTIONABLE BECAUSE OF FALSE AND MISLEADING CLAIMS⁵

DRUGS FOR HUMAN USE

777. Alleged misbranding of Armi Mineral Water. U. S. v. Ralph R. Markwood (Armi Mineral Water Co.). Demurrer to the information sustained. Case ordered dismissed. (F. D. C. No. 4114. Sample Nos. 5790-E, 27566-E.)

On June 24, 1941, the United States attorney for the Northern District of Ohio filed an information against Ralph R. Markwood, trading as the Armi

⁵ See also Nos. 754, 757, 759, 765, 766, 772, 774.